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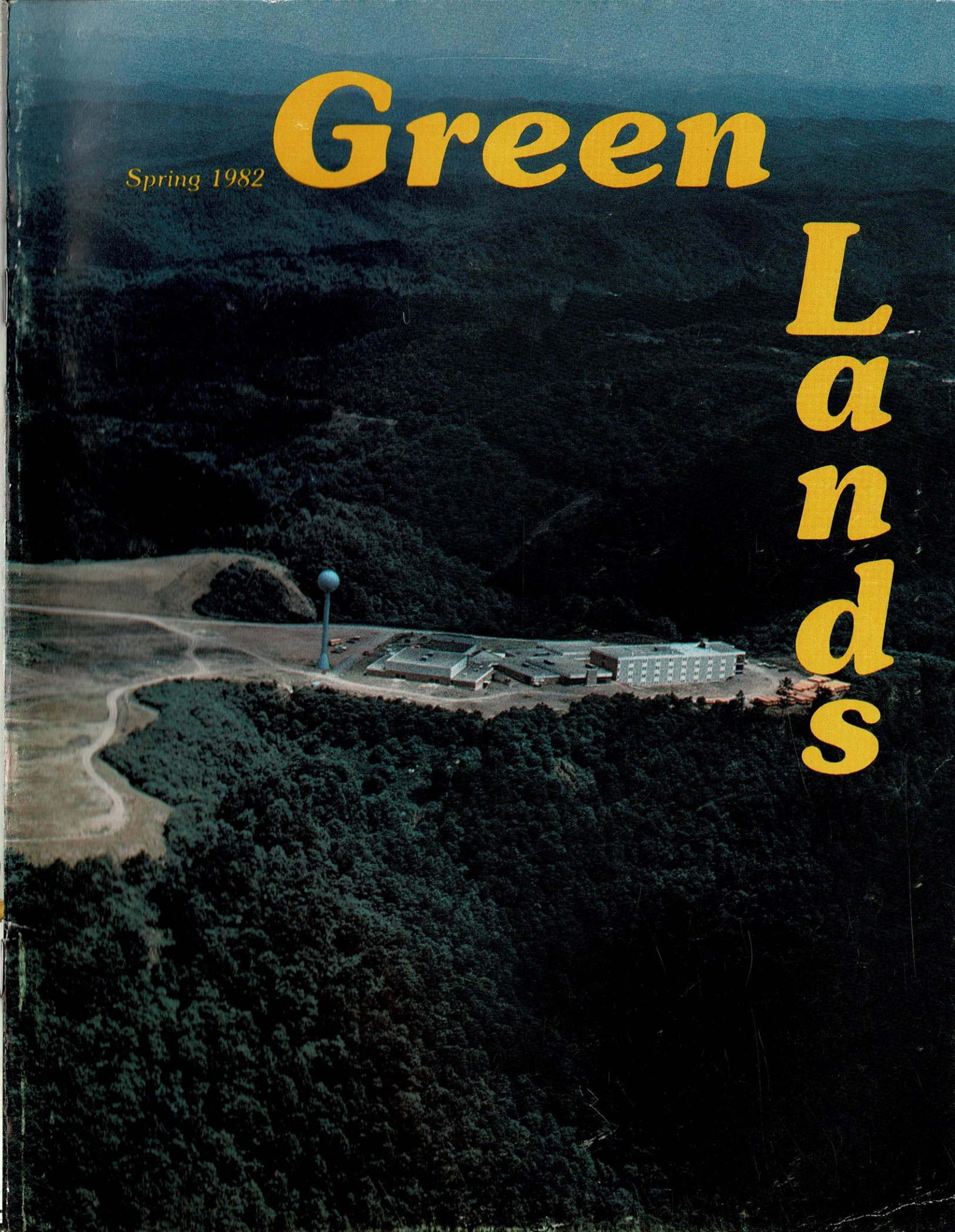
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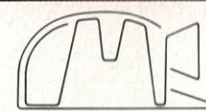
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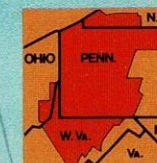
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
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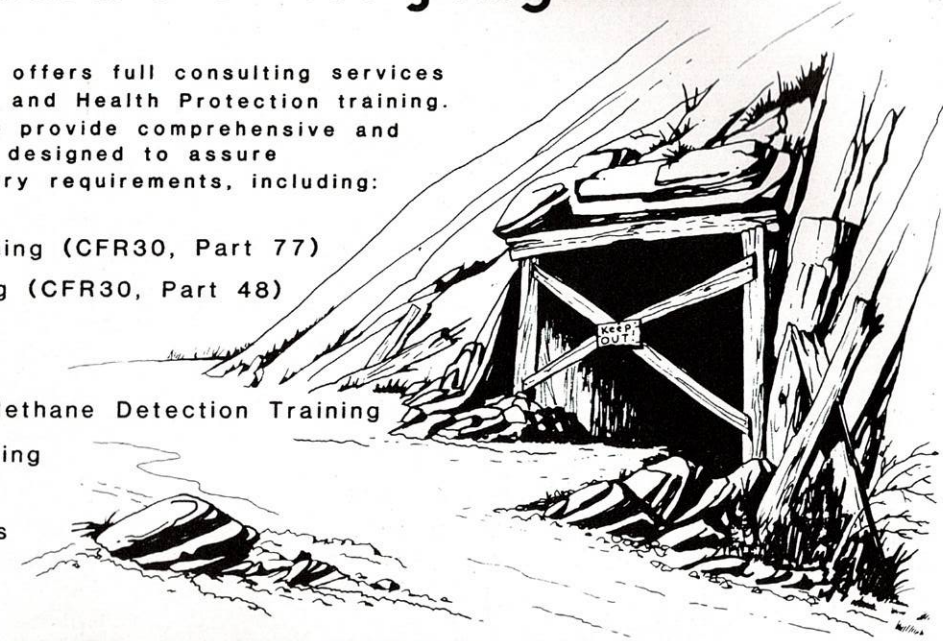
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Green Lands

Volume 12 number 1

- 6 The regreening of West Virginia
- 10 Petition denial saves central West Va Mining
- 18 Congressional Coal Group
- 23 Record Crowd attends symposium
- 27 1982 Reclamation Awards
- 38 Coal Calendar
- 45 Semi-Annual Meeting

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Index to advertisers

Beckwith Machinery	1
Cecil I. Walker Machinery	41
Chamberlaine & Flowers	43
Cline Truck Sales	8
Crawford Equipment	16
Cummins Engines	37
Dart Truck	Back Cover
D & D Reclamation	43
Esmer & Associates	48
Fairchild	20
Flat Top Insurance	Inside Front Cover
J. D. Hinkle & Sons	40
L. B. Smith	39
McDonough Caperton Shepherd Group	9
Penn Line Service	2
Ray C. Call	26
Robins & Associates	2
Rish Equipment	Inside Back Cover
Technical Testing Laboratories	42
Tire City	40
Unit Rig	4
West Virginia Tractor	22
Willco Reclamation	42
Worldwide Equipment	36

Cover — Tom's Mountain in McDowell County is the site of Mount View High School. Formerly it was a surface mine operated by Perry & Hylton, Inc., contracting for Cannelton Industries. The operation was one of seventeen recognized in the 1982 Reclamation Awards. Story on page 27.



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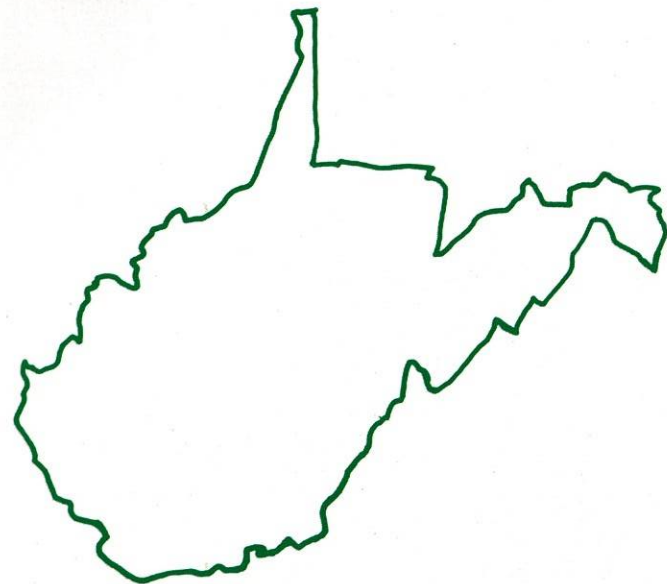
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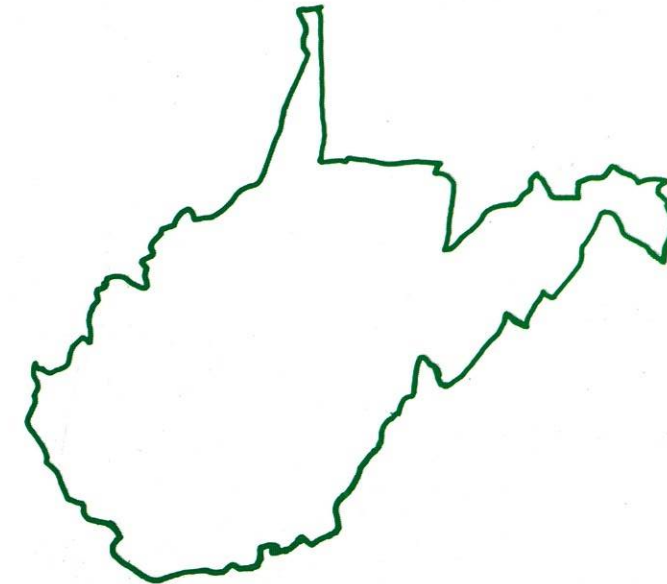
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The re-greening of West Virginia



When Congress passed the Surface Mining Control and Reclamation Act in 1977, West Virginia DNR Reclamation Chief Pete Pitsenbarger knew he'd be dealing with the federal folks for a while. "I expect it will be some time before this thing is fully implemented," he said then. He was right.

By the summer of 1978, Pitsenbarger was a little more optimistic. At that time, he told *Green Lands*, "We expect to be running our own show again by mid-1979." Well, nobody's right all the time. Even Governor Jay Rockefeller, who followed the Act with intense interest through its Congressional passage, said, "We will be able to adapt very quickly."

West Virginia's state-run, federally approved permanent program took effect on February 13, 1982, a mere one thousand six hundred and fifty-six days after President Jimmy Carter signed the bill into law.

A lot of bureaucrats have come and gone in that time. Lawyers, consultants, and paper manufacturers have all done well by the federal law. Reclamation, of course, hasn't improved an inch in West Virginia. The state's operators and inspection personnel had long since established

leadership in that field. But of all the paperwork, the testimony, the studies, the hearings, and the endless rewrite of regulations, at least it can be said—it's over.

With the following memo, Pete Pitsenbarger launched the new West Virginia permanent program, and now in the spring of 1982, he's running his own show again.

The following is a memo from Department of Natural Resources Reclamation Chief Pete Pitsenbarger, outlining the implementation procedures for the permanent regulatory surface mining program in West Virginia. The federally approved program became effective February 13.

I. Operations which will be active (except for reclamation) after September 22, 1982 must have a Permanent Program Permit.

II. For operations which will be completed (except for reclamation), a letter from the operator is required stating that all active operations will be completed by September 22, 1982.

III. PERMANENT PROGRAM MODIFICATIONS (P.P.MOD.) may not be used to change any valid existing permit or underground opening approval. The P.P.MOD. will provide supplemental information not already in the application.

Bonding may be the only exception (\$10,000 minimum per permit and \$1,000 minimum per acre).

IV. PERMANENT PROGRAM PERMITS ISSUED:

A. For surface mines and deep mines issued on or after January 19, 1981 through February 13, 1982, submit the following:

—An addendum by 4:30 PM on March 22, 1982 to the local reclamation office. If the addendum is total and complete, 6 copies must be submitted. If more data is required to complete the addendum, only 1 copy with attached compliance schedule will suffice.

V. INTERIM PERMITS:

A. For surface mines and DR-23's (tipples, preparation plants, stockpiles, shops, roads, etc.) issued prior to January 19, 1981, submit the following:

—DR-4 P.P. MOD. and addendum (modification) by 4:30 PM on March 22, 1982 to the local reclamation office. If modification is total and complete, 6 copies must be submitted. If more data is required to complete the modification, only 1 copy with attached compliance schedule will suffice.

B. For Underground Opening (UO)

Approvals and Existing Mines (EM) issued prior to January 19, 1981, submit the following:

—DR-14 P.P.MOD. and addendum (modification) by 4:30 PM on March 22, 1982 to the local reclamation office. If modification is total and complete, 6 copies must be submitted. If more data is required to complete the modification, only 1 copy with attached compliance schedule will suffice.

C. For DR-21's (tipples, preparation plants, stockpiles, roads, deep mines, etc.) issued prior to January 19, 1981, submit the following:

—DR-4 or DR-14 (revised 3/81) with addendum by 4:30 PM on March 22, 1982 to the local reclamation office. If this modification is total and complete, 6 copies must be submitted. If more data is required to complete this modification, only 1 copy with attached compliance schedule will suffice.

***For modifications in section V. C. above, all portions of the mining and reclamation plan included under a valid existing permit or underground opening approval need not be reproduced, but they must be referenced.

VI. OPERATIONS WITH NO REC-

LAMATION DIVISION PERMIT:

A. **Surface effects of underground mines** — submit 7 copies of a DR-14 (revised 3/81) with addendum by 4:30 PM on March 22, 1982 to the local reclamation office. With the exception of hydrologic data, application should be complete.

B. **All other mining operations (tipples, preparation plants, refuse piles, stockpiles, roads, etc.)**, submit 7 copies of a DR-4 (revised 3/81) with addendum by 4:30 PM on March 22, 1982 to the local reclamation office. With the exception of hydrologic data, application should be complete.

***For operations in section VI above, on which there will be no new disturbance after February 13, 1982, **an advertisement will not be required.** All previously permitted reclamation division operations need not advertise.

***Hydrologic data required for existing operations need not include dissolved solids. However, if this is available, dissolved solids data should be submitted. The determination of probable hydrologic consequences must, however, predict the impact on dissolved solids. All proposed operations must include dissolved solids data.

***As a guide in completing the P.P.MOD's. and addendums on existing operations, the following shall apply:

—Those existing operations not anticipating additional disturbance may mark those portions of the P.P.MOD's. and addendums addressing additional disturbance "not applicable."

VIII. NEW PERMANENT PROGRAM PERMIT APPLICATIONS:

—Applications for new mining operations submitted to the reclamation inspector after February 13, 1982 must have the addendum which includes the 6-month hydrologic data. If the hydrologic data is not complete, the applications and addendum may be submitted to the inspector with a schedule as to when such hydrologic information will be available. This procedure will allow the permit review process to continue forward, however, **no permit for new mining operations will be issued after February 13, 1982 without a completed addendum.**

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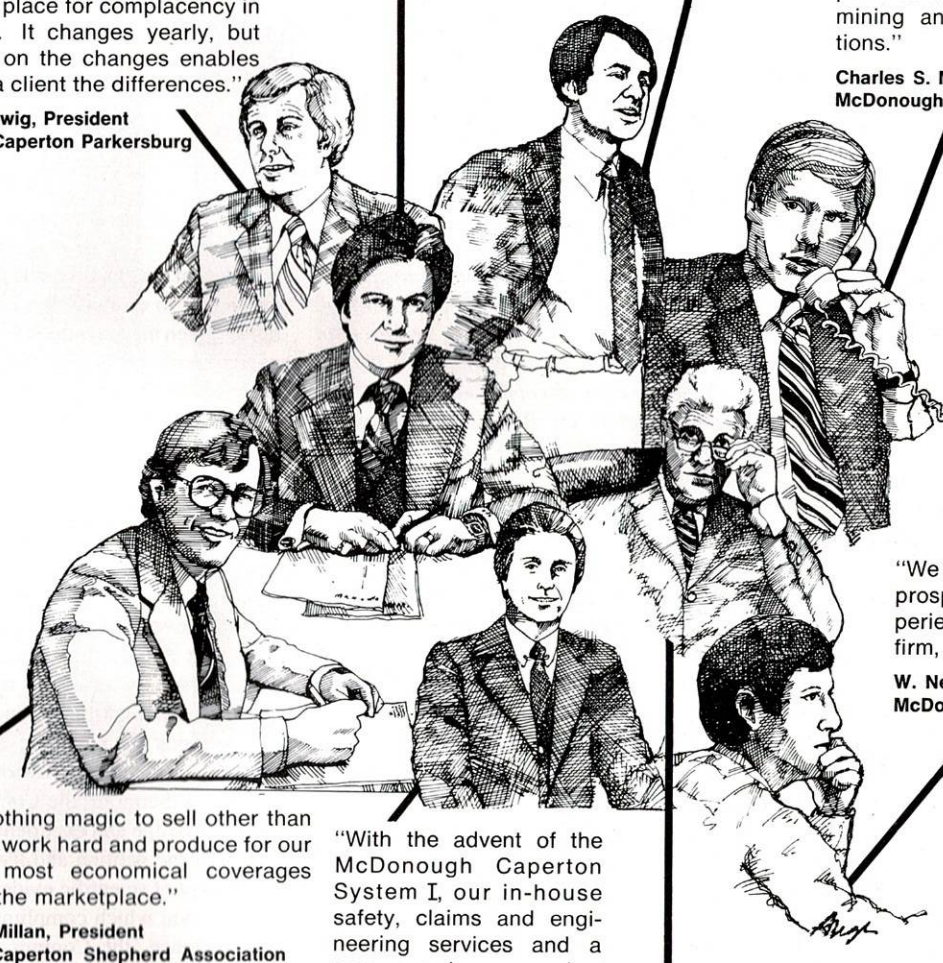
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Petition denial saves central West Va. mining

Disaster was averted for the West Virginia mining community when the State Reclamation Commission denied a petition to have 300,000 acres of north central West Virginia declared unsuitable for mining.

The petition was filed last fall by something called the West Virginia Rivers Coalition, which naturally claims not to be against mining, but merely wants the industry abolished in that neck of the West Virginia woods where its members do their thing.

The Commission's decision, while vindicating ongoing mining activity in the area, at least for the time being, was not a complete victory for the industry. For one thing the flaw in the law remains. West Virginia state law, as mandated by federal regulations stemming from the Surface Mining Control and Reclamation Act, provides that the already tortuous permit procedure grinds to a halt upon receipt of such a petition from any citizen's group. This has and will continue to be an obvious tool of harassment by the friends of the bugs and bunnies.

Although the Commission and the whole Department of Natural Resources is to be commended for prompt action in this case, the fact is that an industry vital to the affected area was seriously impeded for a period of five months by what turned about to be a petition of little merit from a group with dubious motives and little bonifide interests.

Basically the petition was denied due to the substantial financial and legal commitments already binding coal companies in the areas. Also, the Rivers Coalition bit off considerably more than the Reclamation Commission could swallow. That is, the citizens asked for a declaration of unsuitability on the basis of acid mine drainage, but the petitioned area contains huge tracts in which acidity is not a factor.

As outlined in its decision, the Commission cautions against too rapid development of the area, and encourages ongoing research in dealing with the acid problem where it does exist. The complete text of the decision follows.

Pending before the Reclamation Commission of the West Virginia Department of Natural Resources, (hereinafter called the Commission,) is a petition filed by the West Virginia Rivers Coalition, (hereinafter called the Petitioner). The Petitioner seeks to have certain lands and waters of the State of West Virginia designated as unsuitable for all types of coal mining operations. The petition was filed with the Commission on September 11, 1981, under the provisions of Chapter 20, Article 6, Section 22 of the Code of West Virginia 1931 as amended.

The Merits of the Petition

West Virginia Code §20-6-22 (b) requires that the petition contain allegations of fact with supporting evidence which would tend to establish the allegations. It is the determination of this Commission that the petition does properly contain allegations of fact as required under the Code, however, the adequacy of the supporting evidence which would tend to establish these allegations merits further discussion.

A careful review of the evidence submitted by the Petition in support of the allegations of fact reveal that there is little in the way of substantive evidence upon which the Commission can base its determinations. While the Commission recognizes the limited resources of the Petitioner, and without wishing to impugn the integrity of the Petitioner's sources, the commission experienced great difficulty in construing agency reports based largely on visual field observations and newspaper

accounts of statements made by public officials as tending to establish the Petitioner's allegations. Given the magnitude of the impact which would result from a finding in favor of the petition, the Commission had expected a more diligent effort on the part of the Petitioner to seek out substantial evidence to support its allegations. Loss of personal income from rents and royalties of local landowners, loss of tax revenues by local and county governments, unemployment and loss of a valuable engery resource are factors which are not to be taken lightly. Nevertheless, the Commission recognizes that Article 6 of the Code intends that those persons who are or may be adversely affected by surface mining operations be able to file petitions with relative ease and without requiring a preponderance of supporting evidence. Furthermore, the Commission's extensive knowledge and experience with the issues raised by the petition and the availability of a large body of scientific evidence known to the Commission which compliments the Petitioner's evidence, the Commission finds in this case that the petition is acceptable. Therefore, the Commission accepted the petition and started an administrative study on October 8, 1981.

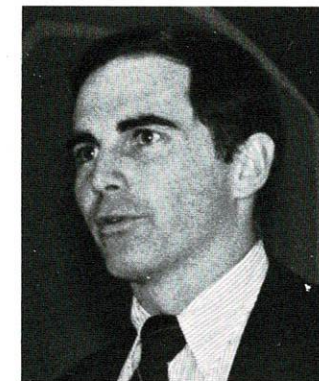
Administrative Study Introduction

In accordance with West Virginia Code §20-

Shown at right are some of the people who spoke out for mining in central West Virginia. Petitioners wanted a citizens hearing and that's exactly what they got. Local sentiment was overwhelmingly in favor of mining operations.



Joe Martin



Greg Gorrell



Jim Laulis



Rogers Stevens



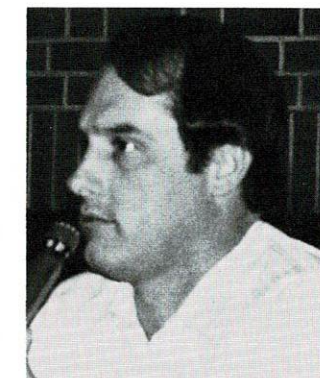
Mike Hudack



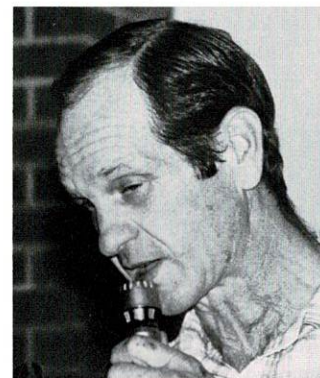
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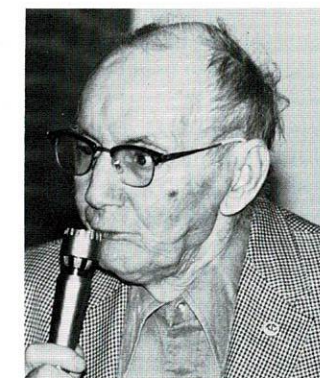
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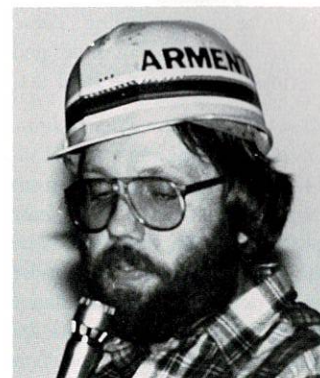
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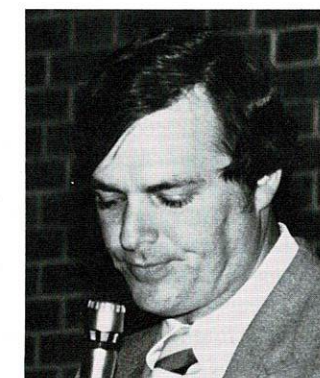
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Charles Miller



Steve Keen

6-22 (b) the Commission is required to take certain actions after receipt of a petition. The first of these required actions is that the Commission begin an administrative study of the area of the petition. Such a study was initiated for this petition and the administrative record resulting from this study is extensive and voluminous. Although the Commission has not attempted to assess the exact cost in terms of time, money and resources expended to accomplish this study, suffice it to say that the members of this Commission view the cost as being significant to the citizens of this state.

The State Code further requires that the Commission furnish the Petitioner with a written decision and the reasons for that decision. Accordingly, there are a number of facts which have emerged from this study that the Commission feels are relevant to the decision making process.

Geography

The petition area covers approximately 461 square miles of surface area within the state which totals to approximately 300,000 acres. The petition area lies within the boundaries of Randolph, Upshur and Barbour Counties and encompass the watersheds of the Buckhannon and the Middle Fork Rivers.

Geology

The geology of the petition area is highly diverse. The northern portion which comprises approximately one fourth of the total area can generally be characterized as consisting of acid producing coal seams (primarily Redstone, Pittsburgh and Elklick) overlain with thick alkaline shales and capped with weathered sandstone and loamy clays.

The southern quarter of the petition area is characterized by nonacid producing coal seams (primarily Sewell and Peerless) overlain with unweathered sandstone and capped with a thin mantle of sandy clays.

The remaining half or central portion of the petition area is not well understood in terms of its lithology. The coal seams in this area are erratic lying in undulating beds which often split into thin rider seams and in other instances, come together to make up a single thick seam. The overlying rock formations are also erratic containing streaks and lenses of rock types which are uncharacteristic. Faults, dikes and other geologic phenomena are common to this area resulting in an unhomogeneous mass that makes any attempt at predicting its structure or content difficult. The morphology and rock types within this area are also quite variable. This is particularly true in the transition zones bordering on the northern and southern quarters of the petition area.

Within the central portion of the petition area, the geology in and around those areas which have been surface mined in recent years has been fairly well documented. Geologic

cross sections, core borings, and overburden analysis data on file with the Commission give a reliable accounting of the geology in the immediate area of the mine. There is, however, great variability among this data from one geographic area to another and indeed from one mine site to another. Therefore, areas lying outside these concentrations of mining activity can be expected to exhibit the same variability making accurate descriptions of the geomorphology of these undeveloped areas impossible without an excessively costly and time consuming drillings, samplings and analysis program.

Geochemistry

The geochemistry of the petition areas, if anything, is more complex than the geolithology. Here again the petition area can be subdivided into northern, southern and central portions within which are exhibited similar characteristics. However, these geochemical characteristics can only be applied in general terms over the geographic area within these subdivisions. Based on overburden analysis and water chemistry for mining operations within these subdivisions, there appears to be abrupt differences in the geochemistry of specific sites from that which would be expected within the subdivision. Having established the specific variability within the subdivisions, the following generalized characteristics apply.

The northern portion of the petition area is characterized by coal seams (Redstone, Pittsburgh and Elklick) (which, when exposed to weathering, will produce acid. Overlying these coal seams are thick shales which are generally highly alkaline and soluble enough to produce sufficient neutralizing capacity to offset the acidity of the coal seams and result in water discharges which are of acceptable quality.

In the southern portion of the petition area the geochemistry is somewhat unique in that the overburden and the coal seams (mostly Sewell and Peerless) appear to be essentially non-reactive. The materials comprising the geolithology of those areas are inert sandstones with little or no calcareous or pyritic materials present. The water discharges from these areas are typically slightly acid which is characteristic of both mined and unmined watersheds.

In the central portion of the petition area the geochemistry is extremely complex. Records from the files of permits issued in this area reflect a high degree of variability among mining sites. Not only does this variability occur over broad geographic areas, but it frequently is exhibited between mine sites that are in close proximity to each other. Water chemistry data from these mine sites also reflect a high degree of variability in their acidity and alkalinity levels. Geochemical factors which produce such variability are the presence or absence of calcareous materials, the presence and petrographic structure of pyritic material, the solu-

bility of these materials, and their lithologic location within the rock mass. Although these factors can be documented for each site, the chemical mechanisms at work here are not completely understood. It is known that the generation of the ferric iron from pyrite has a catalytic effect on acid formation. How these factors synergistically interrelate to produce acid at different concentrations and rates is still under investigation.

Because of the diversity in the geochemistry of this central portion, it is impossible to generalize in terms of factors which are characteristic of the area as a whole. Perhaps the only generalization which can be made is that there is some documentation of the geochemistry for the existing minesites, but for those areas where there has been no mining activity, there is little in the record from which one can make accurate determinations. Extensive drilling, sampling, overburden analysis, leachate studies and other scientific analysis would be required to make these determinations. As indicated earlier, the excessive cost and time required for such a massive program are clearly prohibitive.

Mineralogy

The study revealed that there are 17 coal seams within the petition area, all of which are either currently being mined or have had a past history of mining. Neither the distribution of these mines of the available geologic data gives a clear and precise location of the outcrops of these coal seams. Although the water chemistry and overburden analysis data reflect that many of these seams are potentially acid producing, it is the Kittanning and Mercer seams which are more commonly associated with acid drainage. These seams are most predominately located within the central portion of the petition area.

In terms of coal development, the petition area in general is relatively undeveloped. A total of 250 individual mining sites have been identified and recorded with the majority of them being abandoned. The total land area disturbed by these mining operations is approximately 6,000 acres or two percent of the petition area. Of the total operations, approximately 1/3 were found to be acid producing. These include two or three large operating mines and constitute approximately 1/2 of the total disturbed area.

Hydrology

Streams in the petition area range from rushing, clear mountain streams which cascaded down rapidly descending stream beds, to sluggish particle laden rivers which meander through flat valley floors to their confluence with other streams. Water quality within the petition area is also highly variable.

Streams in the northern portion of the petition area are generally of acceptable quality and support an abundance of aquatic organisms.

There is no reliable documentation in the record of ground water quality or quantity for this area.

In the southern portion of the petition area, the water quality in the mined watersheds is not unlike that found in unmined watersheds, except that concentrations of trace elements are higher in the mined watersheds. The record reflects that acidification of waters from mined sites is not common, and that mining in this area has had minimal impact on water quality.

Again, reliable information on ground water hydrology is apparently not available.

In the central portion of the petition area the record shows that mining activities have greatly impacted water quality. The record is replete with documentation of stream quality degradation including instances where complete biological communities have been eradicated. The streams which have suffered the greatest impact are lightly buffered, infertile, and capable of supporting only small populations of fish and other aquatic organisms.

In the Buckhannon River Watershed, those tributaries which comprise the headwaters of the Buckhannon River are characteristically infertile. Where mining operations occur on these tributaries, the record clearly shows that these streams have been negatively impacted. These impacts are extreme in most cases and under the current circumstances, appear to be permanent.

In the lower portion of the watershed where the streams are larger and have greater buffering capacity, the impacts are less severe. Occasional slugs of acid water resulting from spills and/or extreme climatic conditions have resulted in temporary stream quality degradation. The record shows that, as mining activities have intensified over time, these occurrences are more frequent. It is also important to note that as mining activity progressively has encroached into the watersheds of previously unaffected tributaries, the water quality of these tributaries has consistently been degraded. Should this trend continue, the cumulative effect of this progressive degradation of the headwaters of the Buckhannon River is certain to be reflected in due time in the lower reaches where the higher buffering capacity has thus far assimilated the increased acid loading.

The headwaters of the Middle Fork River have suffered stream quality degradation in a similar manner as described in the tributaries of the Buckhannon River. However, the impact of this progressive degradation has been more evident in the lower reaches of the Middle Fork River. Unfortunately, the Middle Fork does not have the increased buffering capacity of the Buckhannon and, consequently, the acid loading is reflected in gradual stream quality degradation. The situation in the Middle Fork River is critical in that the River is no longer capable of supporting substantial fish populations.

The water quality and quality of ground water systems in this area are virtually unknown.

Demography

Most of the residents within the petition area are clustered around small communities and municipalities. Population concentrations around the specific mining sites could only be characterized as sparse. Many of these residents derive their income directly from mining.

Summary

Throughout the study period, the Commission sought to identify some characteristics of the petition area which could be used to delineate or subdivide the area in terms of the allegations set forth in the petition.

Because of the broad nature of the allegations and the large size of the petition area, it was obvious from the outset that no statement or allegation could be made uniformly applicable to the entire petition area. It appears that the geologic and hydrologic characteristics are the only factors which separate the area into subdivisions. It must be recognized, however, that these delineations are not clearly defined and that transitional zones occur in an irregular pattern between these subdivisions.

The northern and southern subdivisions are considered by this commission to be low impact areas and the central subdivision is the area of greatest impact. Furthermore, the central area can be further subdivided into areas where data is available from past or ongoing mining operations and those where little or no data exists. Those areas where there is no current or past history of mining are areas where there is insufficient data to predict the impacts of mining.

Public Hearing

The second requirement that the Commission must fulfill upon receipt of a petition is to conduct or hold a public hearing on the petition. The Commission held such a hearing on this petition on December 8, 1981 at West Virginia Wesleyan College in Buckhannon, West Virginia. A verbatim transcript was made of the verbal comments given at the hearing and this transcript has been entered into the administrative record. Written comments were likewise received and entered into the record. The Commission has carefully reviewed this record as part of the decision making process on this petition.

Allegations of Fact

Having availed itself of all the available information relative to this petition and having allowed ample opportunity for public participation including a public hearing and an extended public comment period, the Commission will now respond to the allegations of fact set forth in the petition. Each allegation will be addressed in the order in which it was presented in the petition document.

The Petitioner alleges that coal mining operations within the petition area will adversely affect fragile lands and water resulting in severe damage to important natural systems, and in a substantial reduction in the long-range value of the water supply.

As part of the administrative study conducted for this petition, inquiries were made into the data base and inventory system maintained by the Department of Natural Resources as required by West Virginia Code §20-6-22 (a) (3). The results of these inquiries are contained in Appendix A which includes a review of land use variations in the petition area, a review of cultural, historical and archaeological values, a review of fish and game species, a review of unique wetlands, habitat and rare or endangered species.

Fragile Lands and Waters

The term fragile lands and waters is not defined in the Code nor in the Federal Surface Mining Act. Therefore, the Commission is guided by the definition of fragile lands found in the Federal Surface Mining Regulations which is as follows:

Fragile lands means geographic area containing natural, ecologic, scientific or esthetic resources that could be damaged or destroyed by surface coal mining operations. Examples of fragile lands include valuable habitats for fish or wildlife, critical habitats for endangered or threatened species of animals or plants and uncommon geologic formations. National Natural Landmark sites, areas where mining may cause flooding, environmental corridors containing a concentration of ecologic and esthetic features, areas of recreational value due to high environmental quality, and buffer zones adjacent to the boundaries of areas where surface coal mining operations are prohibited under Section 522 (e) of the Act and 30 CFR 761.

With regard to fragile lands, the inquiry reveals no impact of past mining operations on fragile lands. With the exception of a few areas which lie outside potential mining areas, there are no fragile lands of significance within the petition area which are likely to be affected by mining operations. Those that have been identified through the inventory system can be afforded protection through the permit review process.

With regard to fragile waters, the inventory reveals that past mining operations have adversely impacted the water quality of many of the smaller streams in the petition area. New mining operations have resulted in degradation of streams which previously supported fish and other aquatic organisms.

Larger tributaries and the major rivers in the petition area have relatively high buffering capacity, are much more fertile and support by far the majority of the fish populations in the

area. These streams have, through stocking programs, received introduced species which have survived in abundance and now provide an important recreational resource for the residents of the petition area.

Impacts of mining operations in the larger tributaries and rivers have been most pronounced in the upper reaches of these streams where water quality is similar to that found in the smaller tributaries. These waters have historically been infertile and incapable of supporting large populations of aquatic organisms. They do, however, support native trout populations and other aquatic organisms indigenous to these waters. The tributaries serve as breeding and nesting areas as well as providing a source of food and habitat.

Based on these observations, it is the opinion of this Commission that fragile waters within the petition area have received significant impacts from past mining operations. The Commission further recognizes that the cumulative impacts from ongoing and future mining operations have the potential of adversely affecting these fragile waters and resulting in severe damage to important natural systems. Unless current efforts at developing technology to abate acid mine drainage formation from mining operations are rapidly developed, accelerated development of the coal resources in the petition area may well result in the situation which the Petitioner alleges.

Water Supplies

With regard to the Petitioner's allegation that mining in the area will result in a substantial reduction in the long range value of the water supply, the Commission finds nothing in the administrative record which would tend to support this position. Vague references are made regarding trace metals or other elements which may pose potential health hazards to consumers of water from the municipal water supplies which derive their source of water from streams or rivers in the petition area. There is no supporting evidence that indicates that these elements are in fact generated by surface mining operations or that residents of the petition area have suffered any ill effects from such trace elements in their water supply.

Technological and Economical Feasible

The Petitioner further alleges that within the petition area reclamation pursuant to the requirements of the Code of West Virginia, is not technologically or economically feasible. The Petitioner cites four specific sections of the Code where it is alleged that compliance is not technologically and economically feasible.

The Petitioner alleges that mining operations in the petition area can not be conducted so as to avoid acid and other toxic drainage. The Petitioner cites Code 20-6-13 (b) (10) (A) as not being technologically or economically fea-

sible.

The Petitioner alleges that mining operations in the petition area cannot be conducted so as to ensure that acid-forming materials are disposed of in a manner that will prevent contamination of groundwater or surface water. The Petitioner cites Code 20-6-13 (b) (14) as not being technologically or economically feasible.

The Petitioner alleges that reclamation plans for mining operations in the petition area cannot describe measures to be taken that are sufficient to assure the protection of the quality of surface and groundwater systems both on and off-site. The Petitioner cites Code 20-6-11 (a) (11) as not being technologically or economically feasible.

The Petitioner alleges that it cannot be shown that the cumulative impact of the anticipated mining in the petition area will not cause material damage to the hydrologic balance. The Petitioner cites Code 20-6-18 (b) (3) as not being technologically and economically feasible.

Code 20-6-22 (a) (1) requires that the Commission determine the technological and economic feasibility of meeting reclamation requirements in accordance with Code 20-6 within the petition area. The Petitioner has limited the scope of its allegations to those reclamation requirements in the Code which focus in on the impacts of acid or toxic mine drainage on the hydrologic balance of the petition area. It is within this context that the Commission will address these allegations.

In reviewing the record, it has become obvious to the Commission that because of its large size, there is great diversity in the geology, geochemistry, and the hydrology of the petition area. Because of this diversity, these allegations cannot be applied uniformly throughout the petition area. It has been previously established that the historical record of mining in the petition area reflects distinct differences in the impact of mining operations on the hydrologic balance. It is clear that the hydrologic impacts in the northern and southern portions of the petition area in terms of acid mine drainage have been negligible. Therefore, the allegations as stated in the petition are not accurate for these areas.

In the central portion of the petition area, the historic record of mining operations reflects that in the majority of instances reclamation efforts in terms of minimizing hydrologic impacts have failed. Furthermore, utilization of the best known technology in both planning and executing mining operations has not resulted in successful reclamation. It is important to note, however, that on those operations where high level technology was utilized, the hydrologic impact was minimized and in some few instances negligible. Thus, technological advances have improved the capability of preventing negative hydrologic impacts from min-

ing operations. Advancing technology has also made it possible through core boring, overburden analysis and leaching studies, to make certain predictions regarding potential hydrologic impacts. Where favorable conditions exist, it is possible through utilization of special techniques to properly reclaim mining sites. It is the conclusion of this Commission, however, that the utilization of this technology on the mining operations within the central portion of the petition area have not been sufficiently applied so as to prevent negative impacts on the hydrologic balance and therefore, the allegations set forth in the petition are accurate for these operations.

For those areas within the central portion of the petition area but which are not in close proximity of the mining operations, the Commission is unable to determine the technological or economic feasibility of reclamation. It is the opinion of this Commission that there are geologic units within this area which could not be successfully reclaimed. It is also the Commission's opinion that there are geologic units within which reclamation is technologically and economically feasible. However, the only mechanism for determining the location of these units is through scientific analysis of extensive core samples taken at random locations throughout the area. An evaluation of this scope and magnitude is clearly beyond the realm of possibility for the Commission. Such a study would require astronomical amounts of money and require several years to complete. Therefore, the position of this Commission is that the Petitioner's allegations may be accurate for at least part of the areas, however, it cannot be determined from the record which parts should be designated.

Decision Of The Commission

After a careful examination of the administrative record, consideration of the legal and financial commitments, a review of the transcripts and records from the public hearing and a review of the petition area, this Commission is unable to support a designation of the petition area as unsuitable for mining.

In accordance with the requirement of West Virginia Code §20-6-22, the Commission hereby sets forth its reasons for issuing its decision.

1. The large geographic area of the petition area and the diversity in its terrain, geology, geochemistry and hydrology make a uniform determination impossible. Within certain geographic areas and within certain geologic units of the petition area, the record clearly shows that reclamation has been technologically and economically feasible and there is no evidence to indicate that such is not the case for current and future operations. A blanket designation of unsuitability would work an unfair hardship on operating companies, landowners and citizens

of these areas. Furthermore, such a decision would place this Commission in an undefensible legal position.

2. The evidence submitted in support of the petition is not well documented in terms of empirical scientific evidence which would tend to establish the allegations. The evidence which would tend to establish the allegations. The evidence does address the fact that mining in some parts of the petition area have resulted in negative impacts on the hydrologic balance, but the issue of technological and economic feasibility of future mining is not addressed.

3. It is the opinion of this Commission that there is evidence in the petition and in the administrative record to support a determination that the areas within the central portion of the petition area which have been subjected to mining operations, both past and present, are the most likely areas to be designated to unsuitable for all types of surface mining. All available information indicates that with few exceptions the potential for acid water production from these areas as a result of mining is so great that the hydrologic balance for the area is threatened. Furthermore, it has not been fully demonstrated that the technology exists to prevent further impact to the hydrologic balance. It is the belief of this Commission, based on interviews and on-site demonstrations, that the available technology recommended by the Acid Mine Drainage Task Force was not fully utilized on many mining operations. Such response to the Task Force recommendations tends to diminish the use of current technology and suppress advancing technology. Furthermore, it forces reliance on such technology as water treatment which has a long history of ineffectiveness. Treatment of acid discharges from mining operations prior to their entering receiving streams is not a failsafe technique and is at best a short term abatement method. The applied technology is questionable and the economic feasibility is likewise questionable although companies operating in this area seem willing and able to support treatment costs.

In spite of the evidence which could support a determination of unsuitability, the Commission, setting aside all other mitigating factors, must refrain from such a decision because these areas generally lie within an area which is exempted from unsuitability determinations. This exemption is granted because substantial financial and legal commitment that certain companies and individuals have made in these areas. A description of the areas exempted is found in Appendix B.

4. In those portions lying outside the exemption area, the Commission was unable to determine from the evidence submitted or the administrative record that these areas are unsuitable for mining. Because of the great diversity in the key parameters controlling acid production from one area to another, it is not possible

for the Commission to identify the problematic geologic units. The cost of developing the data to enable the Commission to identify these units is prohibitive. The cost in terms of land values, tax receipts, unemployment and vast energy resource are too great to justify blanket designations of these areas.

Policy Recommendations

Having become more familiar with the petition area and the factors influencing the ecology of the area, it is the belief of this Commission that the impact of mining on this area has been significant. The natural systems at work are sensitive to massive land disturbance in general and to acid mine drainage in particular. It is incumbent upon the mining companies operating in this area to be aware of this sensitivity and to take full advantage of all available technology in an effort to prevent additional cumulative impacts. It is incumbent upon the Department of Natural Resources to carefully monitor these mining operations and to provide guidance and assistance to the operating companies in the application of preventative technology.

In view of these factors, it is the opinion of this Commission that the following policy recommendations should be adopted.

1. The Commission does not encourage accelerated development of the coal reserves of this area at this time. It is only in recent years that we have begun to have a clear understanding of the chemical mechanisms which result in acid mine drainage. The mechanisms which must be employed to prevent this problem are not yet a reality. Until the technology is more fully developed and applied, caution is advised in planning and permitting future development in this area.

2. The Commission recognizes the intensive efforts and financial commitments for acid drainage control which have been made recently by companies operating within the petition area.

We urge more aggressive study and research in acid mine drainage prevention and abatement procedures. Research efforts on the part of operating companies should be particularly encouraged with emphasis on on-site application of technology. Industry efforts at promoting research should be given consideration in review and approval of future mining and reclamation plans.

3. Special consideration should be given in the permitting process, to those operating companies who have demonstrated a past record of conscientious application of high level technology and who have the technical capability of understanding and utilizing new technology.

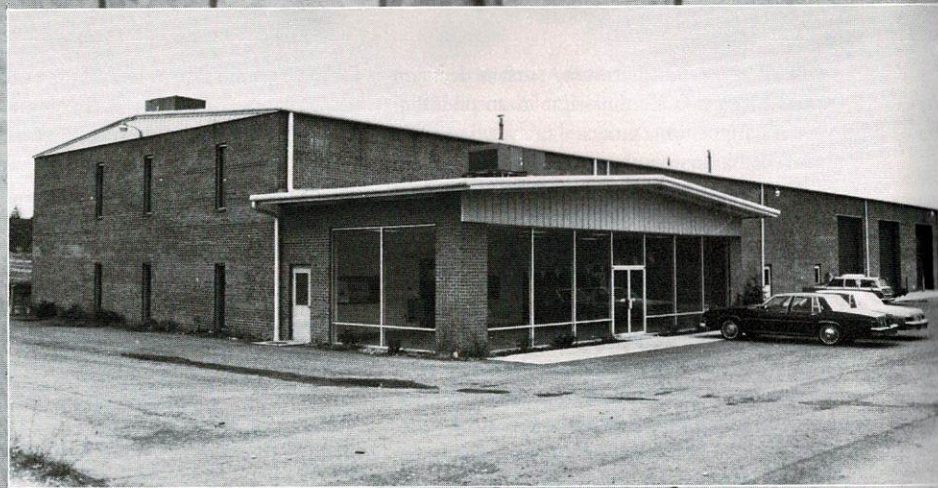
4. The Department of Natural Resources should maintain an intensive monitoring program for the operations in this area. This pro-

gram should be combined with strong enforcement action taken where failure to conscientiously apply this technology results in acid mine drainage problems.

5. All permit applications which are submitted for proposed operations in the central portion of the petition areas should undergo extraordinary review by the newly formed Acid Mine Drainage Technical Advisory Committee. Any new and innovative mining methods recommended by this Committee should be incorporated into selected mining and reclamation plans as part of permit conditions.

The Committee can assist in developing mining and reclamation plans that have a greater likelihood of being successful in terms of preventing acid mine drainage. Also, it will provide the Committee with an opportunity to apply new techniques to "real world" situations and monitor the results. This is essential to the development of new technology by the Committee.

6. When it is determined that acid mine drainage may result from proposed mining operations in other watersheds, these same policies should apply.



A new "solid gold" team in West Virginia: **CRAWFORD EQUIPMENT COMPANY and FIATALLIS.**

We are pleased to announce the appointment of Crawford Equipment Company as representative of the world-famous Fiatallis line of construction machinery in the central and southern areas of West Virginia.

Crawford Equipment, serving the field since 1933, is a wholly-owned subsidiary of Bluefield Supply Co., one of the nation's leading regional distributors of industrial equipment and supplies. Together with complete engine and transmission rebuild capabilities and a component exchange program, Crawford Equipment offers the expertise of skilled factory-trained technicians using the most up-to-date equipment and facilities for the immediate service of Fiatallis machines, plus their extensive experience in

serving coal mining markets.

Founded in 1921, Bluefield Supply Co. is under the leadership of B.W. Harvery, president and CEO; James E. Gillenwater, executive vice-president and chief administrative officer; Roy L. Scales, vice-president, secretary/treasurer; and M.A. Pendry, vice-president and comptroller.

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A challenging new standard of value.

(L) Fran Pullo, operations manager and
Leon Creaturo, branch general manager.

Mid-Session report

Congressional Coal Group

Following is the Mid-Session Report of the Congressional Coal Group on major legislation affecting the coal industry.

Founded and chaired by West Virginia 4th District Congressman Nick Joe Rahall, II, the Coal Group is comprised of 66 members of the U.S. House of Representatives who hail from the country's coal producing districts. Rahall refers to the group as "an informal forum in which issues relating to coal can be discussed, examined and acted upon in a consolidated way."

During 1981, the Group held open meetings on a variety of issues facing the coal industry, including the Clean Air Act reauthorization, coal exports, and foreign takeovers of domestic energy producing companies.

"Through these meetings," Rahall commented, "we have attempted to introduce congressmen from non coal producing regions to the importance of coal in the national energy mix. It is our hope to reduce restrictions burdening the coal industry while seeking passage of legislation which will enhance the industry's ability to meet the energy needs of the nation and the world."

CLEAN AIR ACT

H.R. 5252

In December, several members of the Committee on Energy and Commerce introduced what is being seen as the starting point to reauthorize the Clean Air Act. Sponsored by Congressmen Luken, Traxler, Hillis, Broyhill, Madigan and Dingell, H.R. 5252 leaves intact current provisions on how national ambient air quality standards are set. However, the bill allows each state to extend on a case-by-case basis pollution

level attainment dates from the current 1982 deadline to 1987. Eliminated is the federal authority to withhold highway and sewer funds if a state does not meet clean air deadlines. In addition, EPA is given discretion in waiving the construction ban in areas which have not reached attainment goals. LAER (lowest achievable emission rate) provisions on new plants locating in nonattainment areas are replaced with a standardized BACT (best available control technology) standard. SIP (state implementation plan) review and approval by EPA is simplified. Under PSD (prevention of significant deterioration), Class II and III is eliminated and increment requirements are replaced by BACT.

Of major interest to the coal industry is the retention of the percentage reduction requirement for new coal-fired powerplants. This provision mandates these facilities to remove a certain percentage of sulfur dioxide emissions regardless of the sulfur content of the coal burned. In practice, powerplants must install scrubbers to meet this requirement. However, under H.R. 5252, percentage reduction would no longer apply to industrial boilers burning coal. The bill does not contain an acid rain provision.

Acid Rain

A number of bills—H.R. 4829 (Moffett), H.R. 4936 (Scheuer) and H.R. 4816 (D'Amours)—were introduced in 1981 modeled after the highly publicized S. 1706 by Senator Mitchell seeking to place new controls on sulfur dioxide emissions as a method to reduce occurrences of acid deposition. The basic provisions of these bills are to create an "acid deposition region" consisting of a number of states east of the Mississippi River in which sulfur dioxide emissions would be reduced by 10 million tons over a 10-year period.

In addition, two research oriented bills—H.R. 4830 (Gregg) and H.R. 5055 (Rahall)—were introduced to amend Title VII of the Energy Security Act which created the Interagency Acid Precipitation Task Force within the federal government. The Task Force is doing research into the causes and effects of acid deposition and must make annual reports to the president and Congress on its findings and recommendations over a 10-year period. H.R. 4830 is being advanced as complimentary legislation to H.R. 4829 and requires that the NOAA Administrator report his

research findings to the EPA on a regular basis and that an analysis of these findings be conducted by the National Academy of Science. The bill seeks to further strengthen state and federal cooperation in the area of acid deposition research.

H.R. 5055 was introduced by 11 members of the Congressional Coal Group. It stipulates that no new controls be placed on sulfur dioxide emissions until the Task Force makes a final report on the causes and effects of acid deposition under an accelerated five-year research program. The bill requires the Task Force to examine the feasibility of coal washing and fluidized bed combustion in reducing emissions and requests the Task Force to solicit comments from state agencies doing similar research.

TRANSPORTATION

Coal Slurry Pipelines

Legislation to grant coal slurry pipelines the power of eminent domain, H.R. 4230 (Udall), passed the Committee on Interior and Insular Affairs by a one-vote margin. The Committee on Public Works and Transportation's Subcommittee on Surface Transportation, which also has jurisdiction over H.R. 4230, completed its hearings and may markup early this year.

Coal Ports

The Committee on Merchant Marine and Fisheries reported H.R. 4627 (Biaggi), aimed at expediting port improvements through the implementation of port-specific user fees on a per ton basis. Ports would be authorized to channel dredge below 45 feet after agreeing to pay 50 percent of the costs through the user fee. Incremental operation and maintenance costs from this new construction would be reimbursed by the local port authority on a 75-25 percent local to federal split. There is a dollar per ton cap on the user fee except for those vessels requiring channel drafts deeper than 43.5 feet. H.R. 4627 also requires that within 10 years after enactment, 40 percent of all dry bulk cargo leaving and entering the U.S. be carried on U.S. flagships. The Committee on Public Works and Transportation also has jurisdiction over this legislation, but it is expected that the Subcommittee on Water Resources will markup its own version of port legislation early in 1982.

Inland Waterways

Numerous proposals to authorize lock and dam improvements through revenues obtained from an increased barge fuel tax and/or through the imposition of user fees were introduced in 1981. The House is not expected to begin work in this area until it has finished the port improvement legislation.

Coal-Haul Roads

Legislation authorizing the Secretary of Transportation to make grants for the repair of energy-impacted roads and rail crossings, H.R. 1271 (Rahall), was not considered during the one-year fiscal year 1982 highway authorization passed in 1981. However, an attempt to have the bill included as part of a multi-year fiscal year 1983-1985 highway program, will be made this year.

Railroads

It is expected legislation will be introduced early in 1982 to amend the Interstate Commerce Act to establish conditions under which traffic is found to be subject to market dominance. The bill may also address rail rate exemptions from ICC jurisdiction.

TAXATION

Economic Recovery Tax Act of 1981

Under the new tax law, provisions were included which provide special incentives for investing in mining equipment and processing facilities. Depreciation rules were replaced with accelerated cost recovery, investment tax credit rules were expanded and rules applying to leased property were adjusted.

Coal operators who have been depreciating their mining equipment over a period of eight to 12 years can now take recovery periods of three, five and 15 years under accelerated cost recovery. Most mining equipment costs can now be recovered over five years and light trucks over three years.

Under the new investment tax credit rules, any piece of equipment with a recovery period of three years is eligible for a six percent credit and equipment with a recovery period of five years and more is eligible for the full 10 percent investment tax credit. The law also increases the amount of used equipment eligible for the credit to \$125,000 and extends the carry-over period.

The new law encourages the use of leverage leases and sale and leaseback transactions. Mining operators who have not been profitable and have had low tax liabilities will benefit the most from these changes.

Another provision of the law allows electric utilities which are converting to coal a 10-year rather than 15-year depreciation of boilers and burners.

Coal Utilization Incentives Act

Legislation to provide incentives for electric utilities to convert from oil and natural gas to coal was introduced with the support of many members of the Coal Group. The bill would allow converting utilities to write-off boilers and burners over a three-year period and pollution control equipment over a one-year period. The 10 percent energy tax credit would be extended to these utilities and they would be allowed to utilize the full investment tax credit. Local municipalities would be able to issue industrial development bonds to assist converting utilities. Other provisions of H.R. 2325 (Rahall) allow plants which voluntarily convert the same delayed compliance from New Source Performance Standards as given to utilities mandated to convert under the Fuel Use Act. The legislation has the support of the National Governors' Association and the Coalition of Northeastern Governors.

Coal Incentives Act

The coal conversion provisions of H.R. 2618 (Shelby) are basically the same as H.R. 2325.

Mining Reclamation Reserve Act

A number of Coal Group members are pushing for enactment of H.R. 4815 (Bailey) which would eliminate any question that an accrual-basis taxpayer is entitled to take current deductions for estimated future reclamation expenses occurred when complying with surface mining reclamation requirements. Current law is unclear as to the right of surface mining operators on this point.

Coal Severance Tax

A bill to place a 12.5 percent cap on the amount of tax a state could place on coal received consideration by a House subcommittee. No further action was taken on

H.R. 1313 (Gibbons) in 1981 and its future is unclear.

Black Lung Benefits Revenue Act of 1981

Under this new law, the excise tax on coal was increased from 50 cents per ton to \$1 per ton on underground coal and from 25 cents per ton to 50 cents per ton on surface mined coal. The increase remains in effect until January 1, 1996, or until the trust fund becomes solvent. The law also made certain changes in the eligibility criteria and benefit structure of the black lung benefits program.

DEPARTMENT OF ENERGY PROGRAMS

Powerplant and Industrial Fuel Use Act of 1978

With the enactment of the Omnibus Budget Reconciliation Act of 1981, the utility off-gas provision of the FUA was repealed. Utilities presently burning natural gas will be allowed to continue doing so after 1990. The section of the FUA pertaining to coal conversion was modified so that, in effect, an electric utility must ask DOE for a conversion to coal order.

Budget

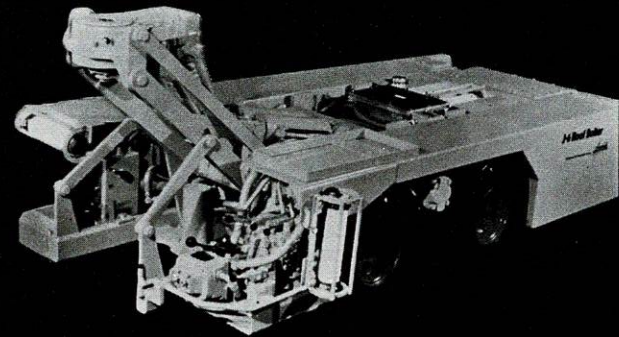
DOE's fossil energy research and development budget was slashed for fiscal year 1982. Appropriation for fiscal year 1981 for these programs was \$1.134 billion and for fiscal year 1982, \$416.872 million. It is expected the Administration will present a "close-out" fossil energy R&D budget for fiscal year 1983. Latest figures indicate that DOE has requested \$305.17 million for these programs with the Office of Management and Budget allowing only \$106.9 million.

DOE Dismantlement

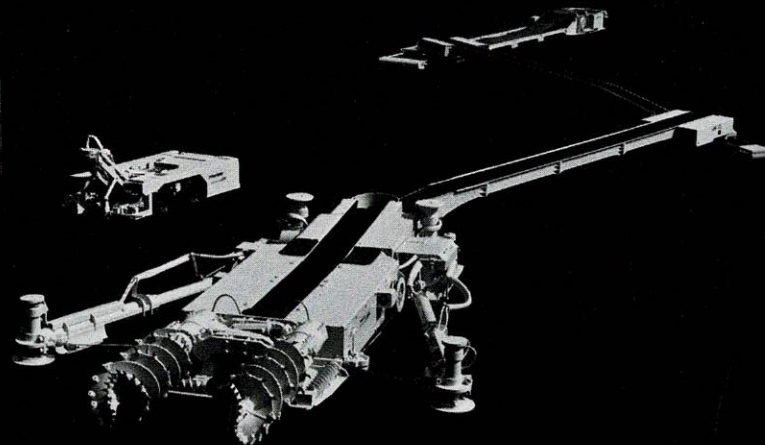
The president is expected to forward his plan to Congress to dismantle and transfer DOE programs early this year. All energy R&D programs would go to the Department of Commerce under the jurisdiction of a new agency which may be named the Energy Research and Technology Administration.

Fairchild Is The One For All

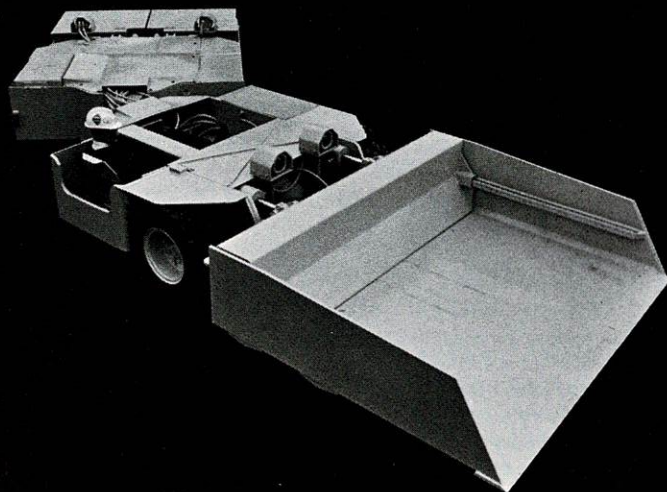
With More Complete Continuous Mining Systems In Operation Than Any Other Mining Equipment Manufacturer!



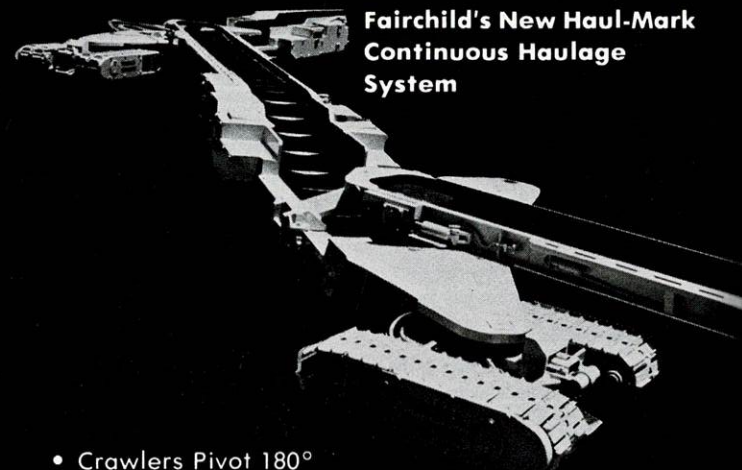
Fairchild J-4 & J-6 Roof Bolters — Leaders In Low Seam Bolting.



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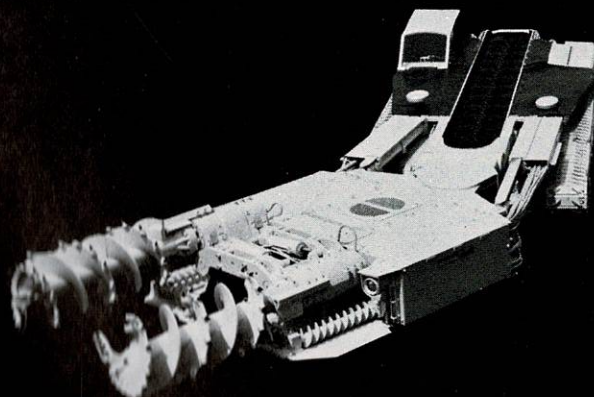


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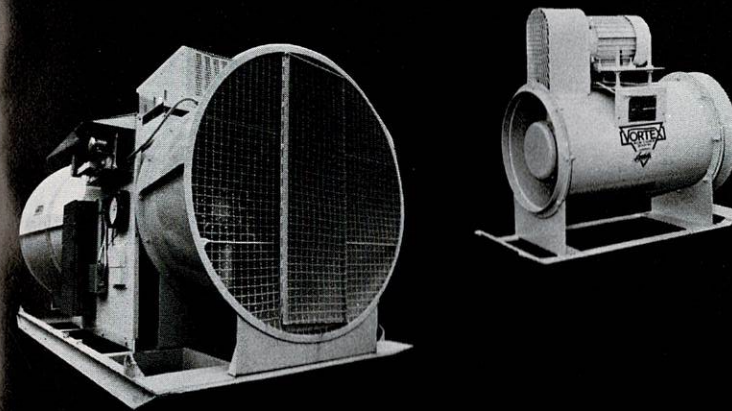
Fairchild Mark 22 Continuous Mining System
A Revolutionary New Concept in Center Place Continuous Mining.



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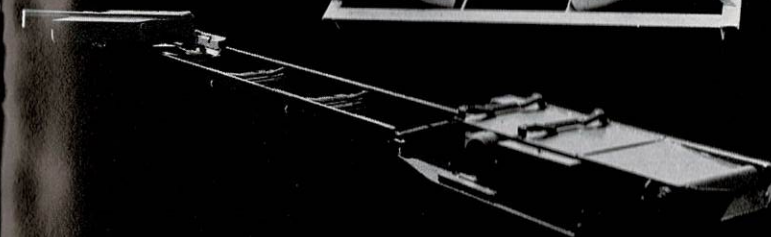
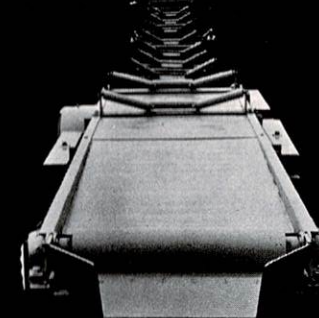
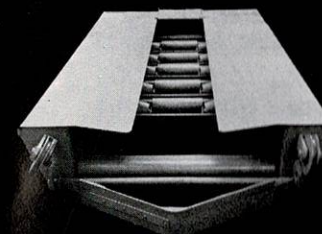
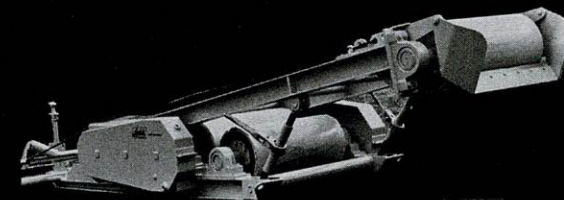
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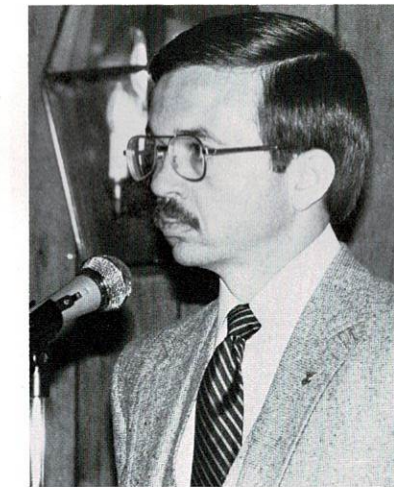
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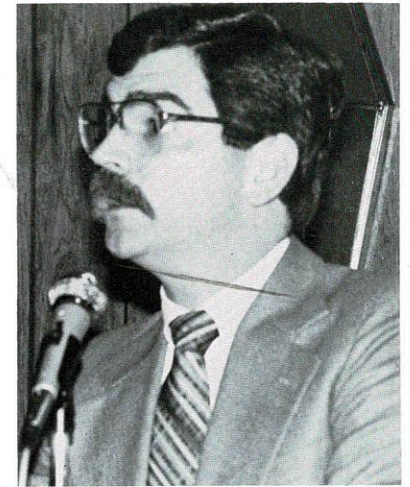
Winners of the 1981 Reclamation Awards. Presentations were made at a luncheon closing the 9th Annual Surface Mining Symposium.



Bill Butler, chairman, West Virginia Surface Mining and Reclamation Association.



Bill Raney, vice president, WVSMRA.



James Maddy, director, West Virginia Coal Development Authority.

Record crowd attends Symposium

Record breaking registration of the West Virginia Surface Mining Symposium is getting to be as annual as the event itself. This year over 500 crowded into the ballroom of the Charleston House Holiday Inn for three half-day technical sessions and the 1981 Reclamation Awards luncheon.

The technical program was highlighted by presentations from EPA Region III Administrator Pete Bibko, and Jim Maddy, director of the new West Virginia Coal Development Authority.

Bibko discussed the evolving rela-

tionship between his agency and the State, emphasizing that EPA, under Ronald Reagan, will allow the states to take the lead in carrying out environmental initiatives. Making his second visit to Charleston since assuming his new post, Bibko also stressed the need for communication and personal contact between regulators and members of the regulated industry.

Maddy outlined the organization and objectives of his office, which was created this year by Governor Jay Rockefeller to promote the production and sale of West Virginia coal.

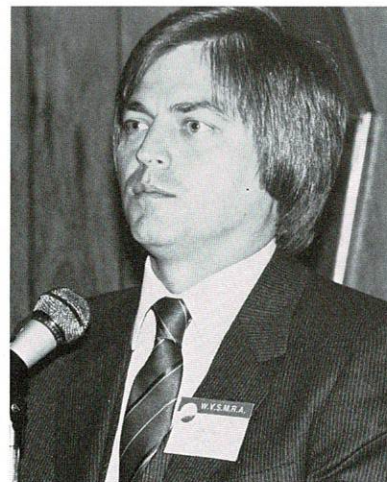
The well rounded technical program, sponsored by the West Virginia Surface Mining and Reclamation Association, also included panel discussions on durable rockfills, new permitting procedures, forestry in reclamation, and West Virginia's new role in the NPDES program, as well as individual presentations on the mandatory safety program, blaster certification, hydrology, the 1982 State Legislature, and West Virginia's permanent regulatory program under the Surface Mining Control and Reclamation Act.



Pete Pitsenbarger, chief of Reclamation, West Virginia DNR.



Dr. Erkan Esmer, Esmer & Associates, Inc.



John Gunnett, Skelly & Loy.



Jay Engle, Westvaco.



Bryon J. Warder, West Virginia State Forester.



Ted Hillman, WVSMRA Safety Committee.



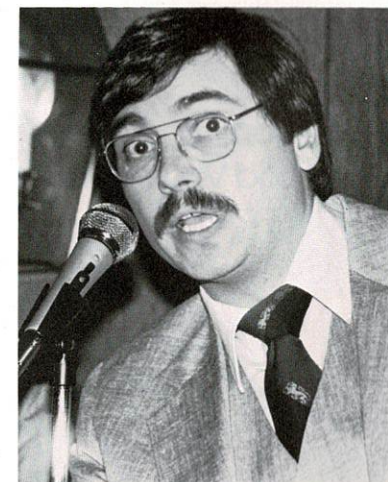
Bill Ritchie, Hobet Mining & Construction Co.



Terry Shamblin, West Virginia DNR.



Bill Chambers, West Virginia DNR.



Dr. Tom Jones, West Virginia Tech.



Bob Stanley, West Virginia Motor Truck Association.



Willie Curtis, U.S. Forest Service.



Roger Anderson, West Virginia DNR.



Walt Davidson, U.S. Forest Service.



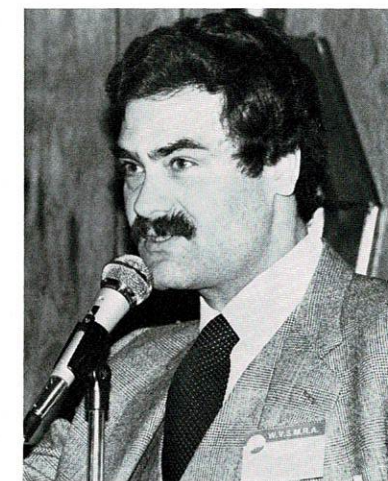
Bill Plass, American Council for Reclamation Research.



Dave Robinson, West Virginia DNR.



Karen G. Watson, West Virginia Office of the Attorney General.



Pete Bibko, Region III administrator, U.S. EPA.

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The 1982 Reclamation Awards

**For Excellence in Reclamation Work
During the Year 1981**

**Presented January 28, 1982
at the closing luncheon of the
Ninth Annual West Virginia
Surface Mining Symposium**

**Jointly sponsored by the
West Virginia Department of Natural Resources
and the
West Virginia Surface Mining and Reclamation Association**

Seventeen West Virginia mining companies, whose representatives are pictured on these pages, were honored last month for excellence in reclamation work during 1981.

West Virginia Department of Natural Resources Director Dave Callaghan made the presentations at a special luncheon which closed out the Ninth Annual Surface Mining Symposium. The awards were jointly sponsored by DNR and the West Virginia Surface Mining and Reclamation Association.

This year's program featured special recognition in several categories. Two companies were recognized for their efforts in post mining land use. Grafton

Coal Co. of Clarksburg reclaimed a mining operation in Barbour County, which is the site of the Kasson Elementary School. Perry & Hylton, Inc. of Beckley, contracting for Cannelton Industries, Inc., was honored for its work on Tom's Mountain in McDowell County, which provided the location for the consolidated Mt. View High School.

Island Creek Coal Co. and DLM Coal Corp., both operating in Upshur County, were cited in a special research category for innovative efforts in the abatement and prevention of acid mine drainage.

Windsor Power House Coal Co., operating in the northern panhandle, was recognized as the overall reclamation job of

the year.

Twelve other companies, including ten surface operations and two underground complexes, were honored for excellence in various phases of coal mine reclamation.

Not represented at the awards luncheon was L.C. Coal Co., Chestnut Ridge Coal Corp.-contractor, which was honored "For notable reclamation accomplishment and cooperation with adjacent landowners in the remining of abandoned lands that resulted in excellent meadowland on permit 156-78, near Mt. Pisgah, Grant County."



Left to right, Bill Forbes, Bob Condee, Harold Dailey, DNR Director Dave Callaghan

ARMCO INC.

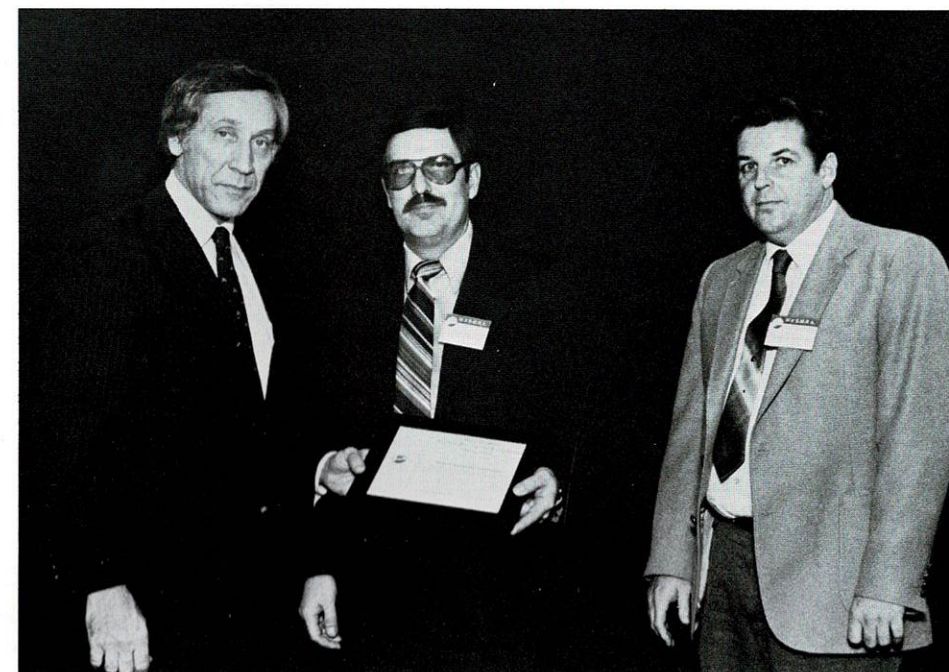
For superior implementation of a practical preplan, characterized by model valley fill construction techniques, attention to haulageway maintenance and excellent cooperation during all phases of operation on permit 147-79, near Montcoal, Boone County.



Ray Williams

DLM COAL CORPORATION

For voluntary initiative and extraordinary efforts in pioneering innovative technology for the prevention and abatement of acid mine drainage at their operations near Alton, Upshur County.



Chuck Nevins and Jack Easter

SOUTHERN APPALACHIAN COAL COMPANY

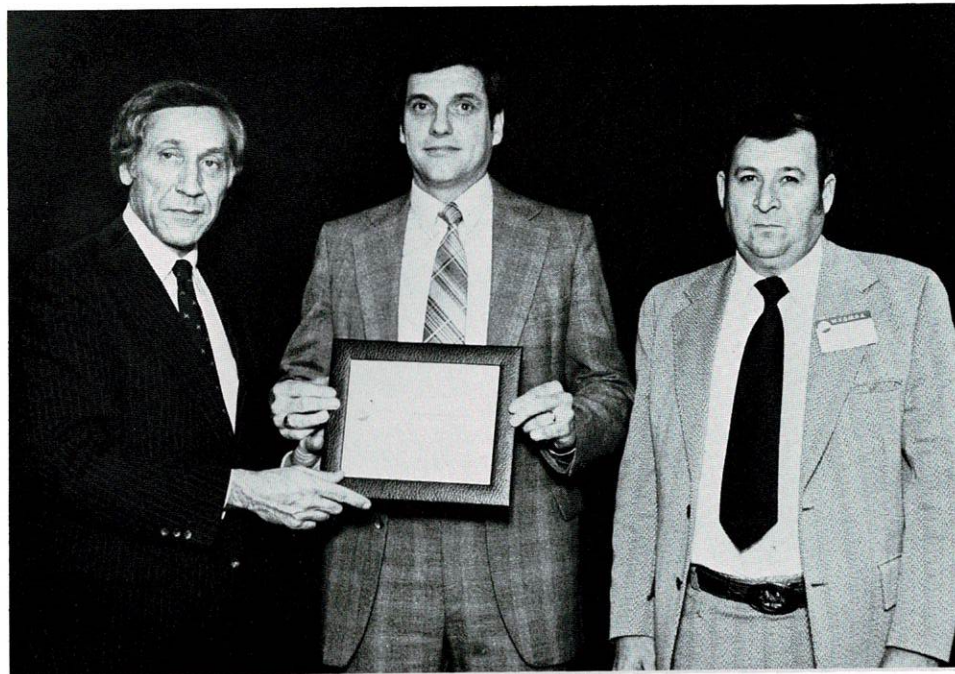
For excellence in the construction and maintenance of an "on-bench" drainage system and notable achievement in the regrading and revegetation of permit 140-79, near Julian, Boone County.



Larry Culloop and Eustace Frederick

CONSOLIDATION COAL COMPANY

For superior haulroad construction and maintenance, concurrent reclamation and excellent revegetation during all phases of operation on permit 19-78, near Cucumber, McDowell County.



Talmadge Mosley and Jim Carson

ISLAND CREEK COAL COMPANY

For voluntary initiative and extraordinary efforts in pioneering innovative technology for the prevention and abatement of acid mine drainage at their operations near Tallmansville, Upshur County.



Neil Pleasants and Jim Copley

BROOKS RUN COAL COMPANY

For outstanding overall performance and exceptional attention to the maintenance of environmental quality in the development of a major underground mining complex near Erbacon, Webster County.



Ralph Mashuda and Wayne Fortney, Jr.

WAYNE H. FORTNEY

MARS MINING COMPANY — CONTRACTOR

For the environmentally-sound employment of an innovative method of handling toxic materials in the conduct of operations on permit 68-80, located on the sensitive and prominent slopes adjacent to Cheat Lake, Monongalia County.



Vance Price and George Southern

AMHERST COAL COMPANY

For outstanding performance on mountaintop operation demonstrating the effective use of the first experimental "end dumped durable rockfill" in West Virginia. The area is complimented by superior haulroad construction and excellent drainage control. Vast developmental opportunity for multiple uses will result when permit 159-74 near Amherst-dale, Logan County, is completed.



John Todd and George Nicolozakes

RAYLE COAL COMPANY

For consistently positive attitude and conscientious performance evidenced by superior reclamation accomplishment on the first prime farmland permit in West Virginia, permit 1-79, near Short Creek, Ohio County.



Steve Shaffer and Carl DelSignore

BUFFALO COAL COMPANY

For overall excellence and reclamation awareness in transforming a previously deep mined and neglected area near Stony River into environmentally-acceptable and useful pastureland during the operation of permit 274-76, near Mt. Storm, Grant County.



John Hubbard

WINDSOR POWER HOUSE COAL COMPANY

Exceptional statewide recognition for extensive efforts and reclamation achievement in the total transformation of a sixty year old refuse pile area to one of environmental integrity.

This effective rehabilitation is now enhanced with a new preparation plant as well as an advanced mine drainage treatment facility, both of which assure the future of this industrial complex for all West Virginians.



Bill Ritchie

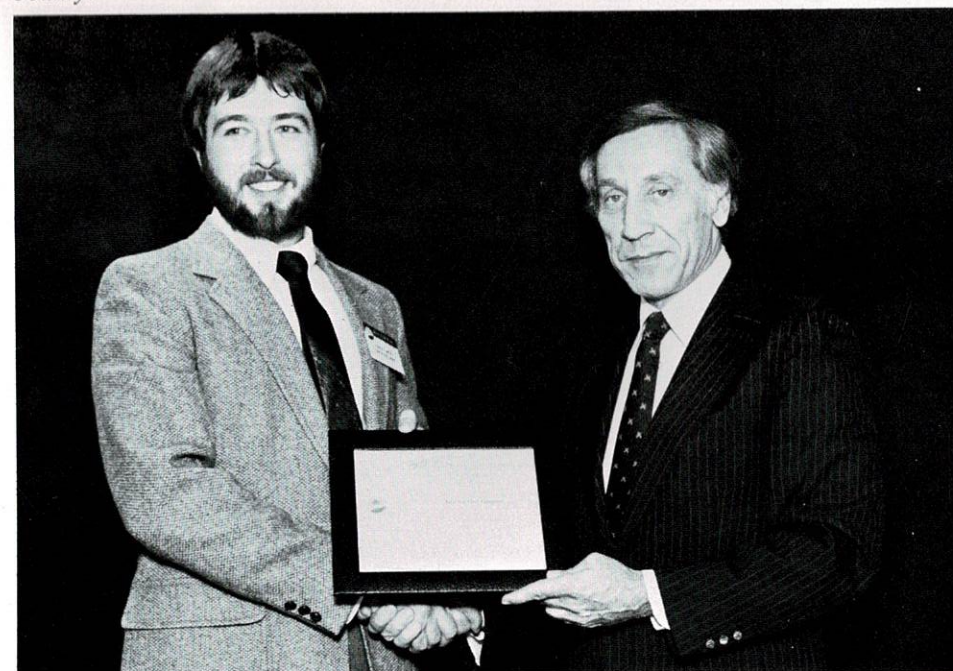
FILBETH ENTERPRISES, INC.

For exceptional reclamation accomplishment by eliminating highwalls, acid water and abandoned deep mines which had existed since the 1940's during the conduct of operations on permit 125-78, near Werth, Nicholas County.



Tracy Hylton
CANNELTON INDUSTRIES, INC.
PERRY & HYLTON, INC. — CONTRACTOR

Special recognition for their interest in the future of West Virginia by emphasizing the long-term and beneficial use of surface-mined land through effective reclamation. Outstanding performance in the conduct of mountaintop operations near Welch has provided much needed level land for the construction of Mount View High School, McDowell County.



Jim Compton

GRAFTON COAL COMPANY

Special recognition for their interest in the future of West Virginia by emphasizing the long-term and beneficial use of surface-mined land through effective reclamation. Exceptional mining and reclamation techniques have provided an excellent location for the construction of the new Kasson Elementary Middle School, Barbour County.



Tom Rayburn

METCO MINING CORPORATION

For evident aesthetic and environmental accomplishment with particular attention to drainage control and revegetation in the development of underground opening permit 686, near McConnell, Logan County.



Jack Nutter

SALT LICK COAL CORPORATION

For consistent proficiency in concurrent reclamation practices and outstanding cooperation during the conduct of operations on permit 95-80, near Flatwoods, Braxton County.

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Coal Calendar

April

- 1-2 Fourth Annual Coal Institute on Coal Sampling and Preparation, Clarion State College, Clarion, Pa., contact Linda Radaker, Clarion State College, Clarion, Pa. 16214, (814) 226-2227.
- 5-6 Coal Contracts Seminar, William Penn Hotel, Pittsburgh, Pa., contact Regina Hildwine, 1828 L St., N.W., Suite 510, Washington, D.C. 20036 (202) 783-2660.
- 13-16 Annual Meeting, Interstate Mining Compact Commission, Fairmont Hotel, New Orleans, La.
- 15-16 "Restoring Surface Mined Lands to Forest Land Use," Pine Mountain State Resort Park, Ky., contact Connie Blakemore, P. O. Box 13015, Iron Works Pike, Lexington, Ky., 40512, (606) 252-5535, ex 400.
- 21-23 DuPont Surface Blasting Seminar, Ramada Inn, South Charleston, contact DuPont Co., Applied Technology Division, Concord Plaza-Clayton Bldg., Wilmington, Del., 19898, (302) 772-5980.
- 26-27 Appalachian Coal Export Conference, Holiday Inn Gateway, Huntington, contact Huntington area Chamber of Commerce, P. O. Box 1509, Huntington, 25716
- 29 "Spirit of Life" Award Dinner honoring John J. Faltis, Charleston House Holiday Inn, Charleston, contact City of Hope, Herbert E. Ostrov, P. O. Box 15440, Cincinnati, O., 45215, (513) 761-1372.

May

- 3-4 International Coal Trade Conference, Marriott Key Bridge Hotel, Washington, D.C., contact Regina Hildwine, 1828 L St., N.W., Suite 510, Washington, D.C., 20036, (202) 783-2660.
- 4-5 WVSMRA Congressional Visitation, Capitol Hill Hotel, Washington D.C., contact Patty Bruce, WVSMRA, 1624 Kanawha Blvd. E., Charleston, 25311, (304) 346-5318.
- 5-7 Short course, "Coal Geology," Cumberland College, Williamsburg, Ky., contact Nancy Hopper, P.O. Box 13015, Iron Works Pike, Lexington, Ky., 40512, (606) 252-5535.

- 9-12 American Mining Congress Coal Convention, St. Louis, Mo., contact AMC, 1920 N St., N.W., Washington, D.C. 20036, (202) 861-2800.

- 17 3rd Annual West Virginia Surface Mine Drainage Task Force Symposium, Sheraton Inn, Clarksburg, contact Patty Bruce, WVSMRA, 1624 Kanawha Blvd. E., 25311, (304) 346-5318.

- 20-22 Three Rivers Coal Festival, Fairmont, contact Martha Hayhurst, P. O. Box 1604, Fairmont, 26554, (304) 363-2625.

- 24-25 Coal Contracts Seminar, Sheraton St. Louis Hotel, St. Louis, Mo., contact Regina Hildwine, 1828 L St., N.W., Suite 510, Washington, D.C., 20036, (202) 783-2660.

- 24-26 Short Course, "Principles of Explosive Engineering, West Virginia University, Morgantown, for all WVU short courses contact Carrie Koeturius, Conference Center, 67 Towers, Morgantown, 26506.

- 24-26 WVU Short Course, "Mine Ventilation."

- 26-28 WVU Short Course, "Analysis of Mine Ventilation Systems."

- 28 WVU Short Course, "Coal Mine Reserve Analysis."

June

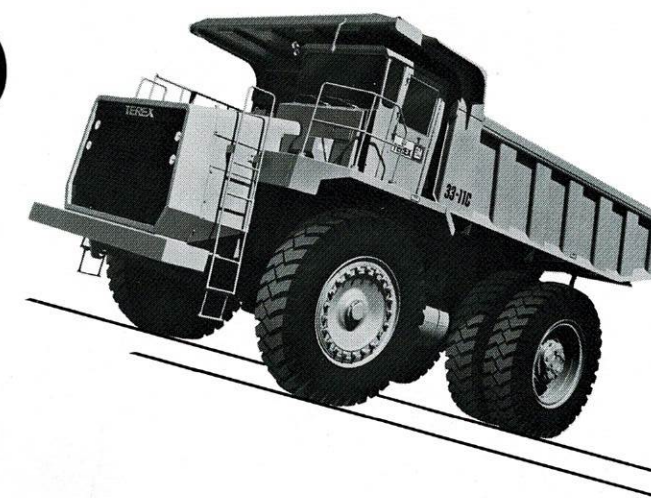
- 7-9 WVU Short Course, "Coal Mine Ground Control."

- 23-25 Southern Appalachian Mining Show, Birmingham Civic Center, Birmingham, Ala., contact The Mining and Energy Shows, Lower Concourse, Midtown Centre, Capitol & Washington Sts., P. O. Box 3694, Charleston, 25335, (304) 345-5700.

July

- 19-21 Conference on Ground Control in Mining, Lakeview Inn and Country Club, Morgantown, contact Dr. Syd S. Peng, Department of Mining Engineering, West Virginia University, Morgantown, 26506, (304) 293-5695.

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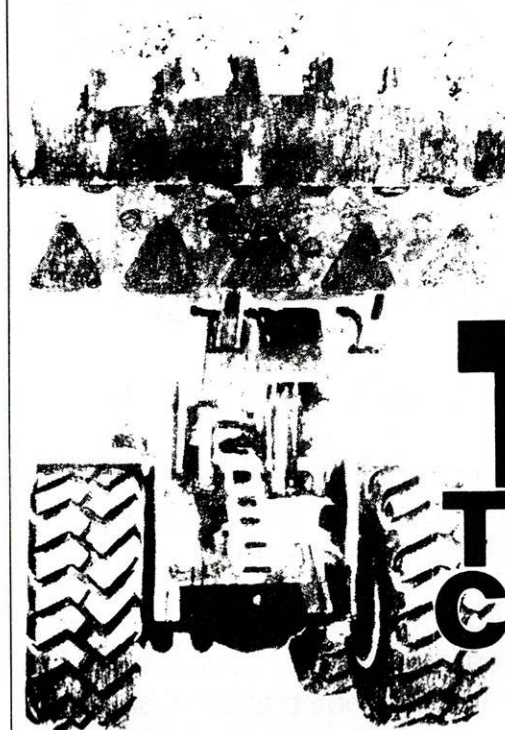
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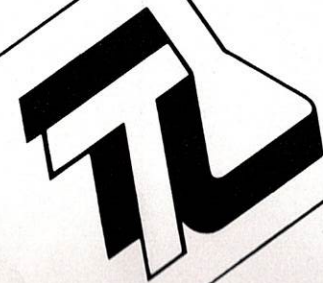
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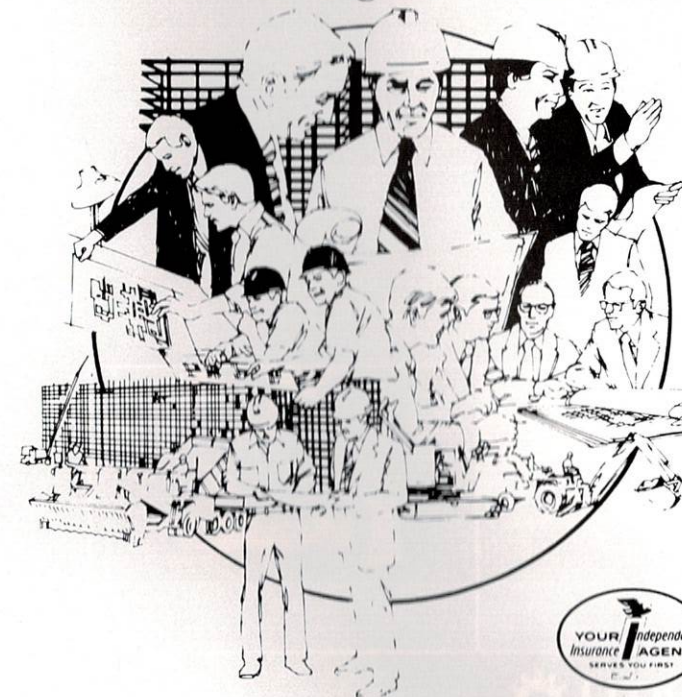
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
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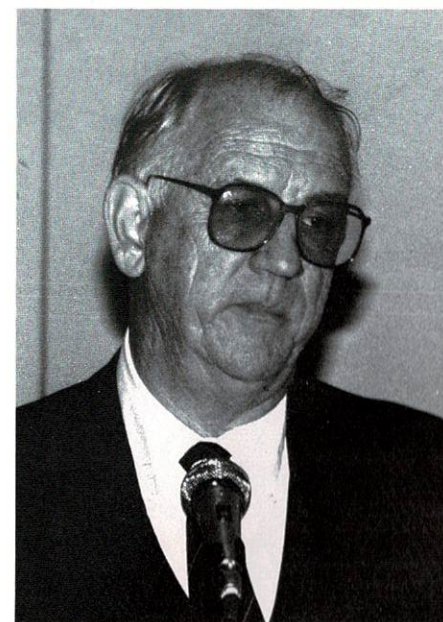


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Allen D. Dorris, Coalstream Pipeline Co.



Dennis Markley, Electro-Coal Transfer Corp.



Wade S. McClure, Moccasin Mining Co., Inc.

Semi-Annual Meeting

Over 200 members and guests escaped the doldrums of West Virginia's winter for a few days in attending the Semi-Annual Meeting, January 14-17, at the Boca Raton Hotel & Country Club in Boca Raton, Fla.

In addition to the Board of Directors, general membership, and various committee meetings, the agenda featured presentations on transportation and taxation.

Allen D. Doris, president of the Coalstream Pipeline Co., spoke on "The Coalstream Coal Slurry Pipeline." Dennis Markley, director of marketing for the Electro-Coal Transfer Corp., gave a presentation titled "New Orleans Coal Exports." Moccasin Mining Co. President Wade S. McClure explained the Economic Recovery Tax Act of 1981, as it applied to coal and coal producers.

In addition to the serious business, the membership threw itself into the meeting's sports program, which included golf, tennis, fishing, and running. The four-day program also included ladies programs on skin care and palmistry.

The meeting concluded with a banquet and dance on Saturday night. Keynote speaker for the evening was Association Chairman William C. M. Butler, III, who reviewed the organization's history in his address, "WVSMRA 15 Years Later."

The Association also welcomed six new members into its associate ranks including; Jackson, Kelly, Holt & O'Farrell; Reed Mining Tools, Inc.; Reliance Laboratories, Inc.; Steam Coal Sales, Inc.; Union Carbide Corp.—Specialty Chemicals and Plastics Division; and Upshur Coals Corp.

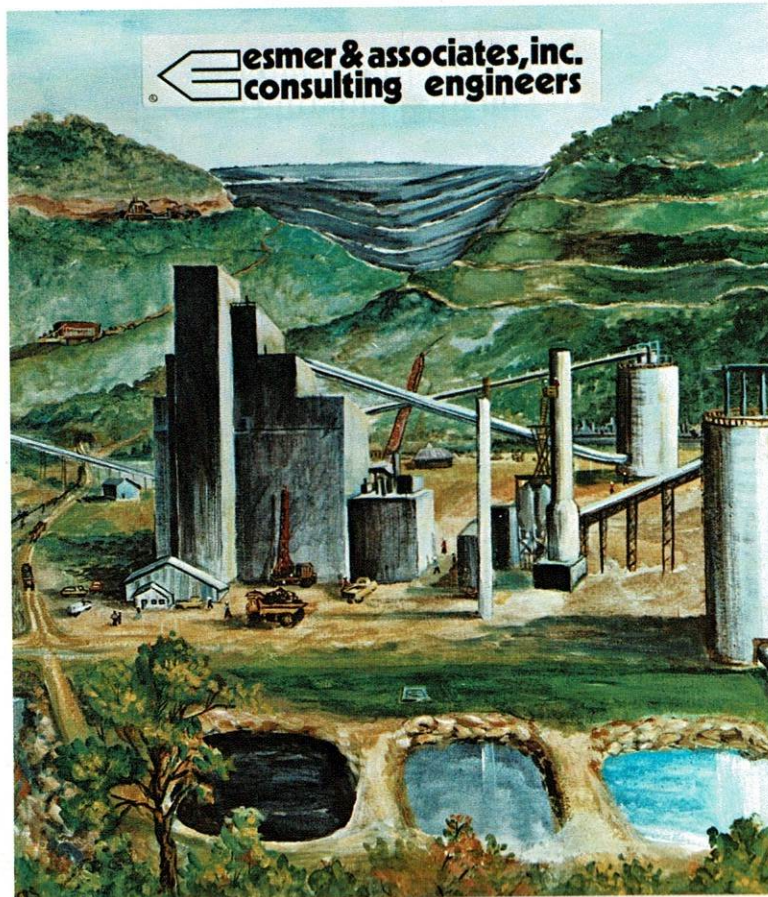


Ben Greene, president, WVSMRA

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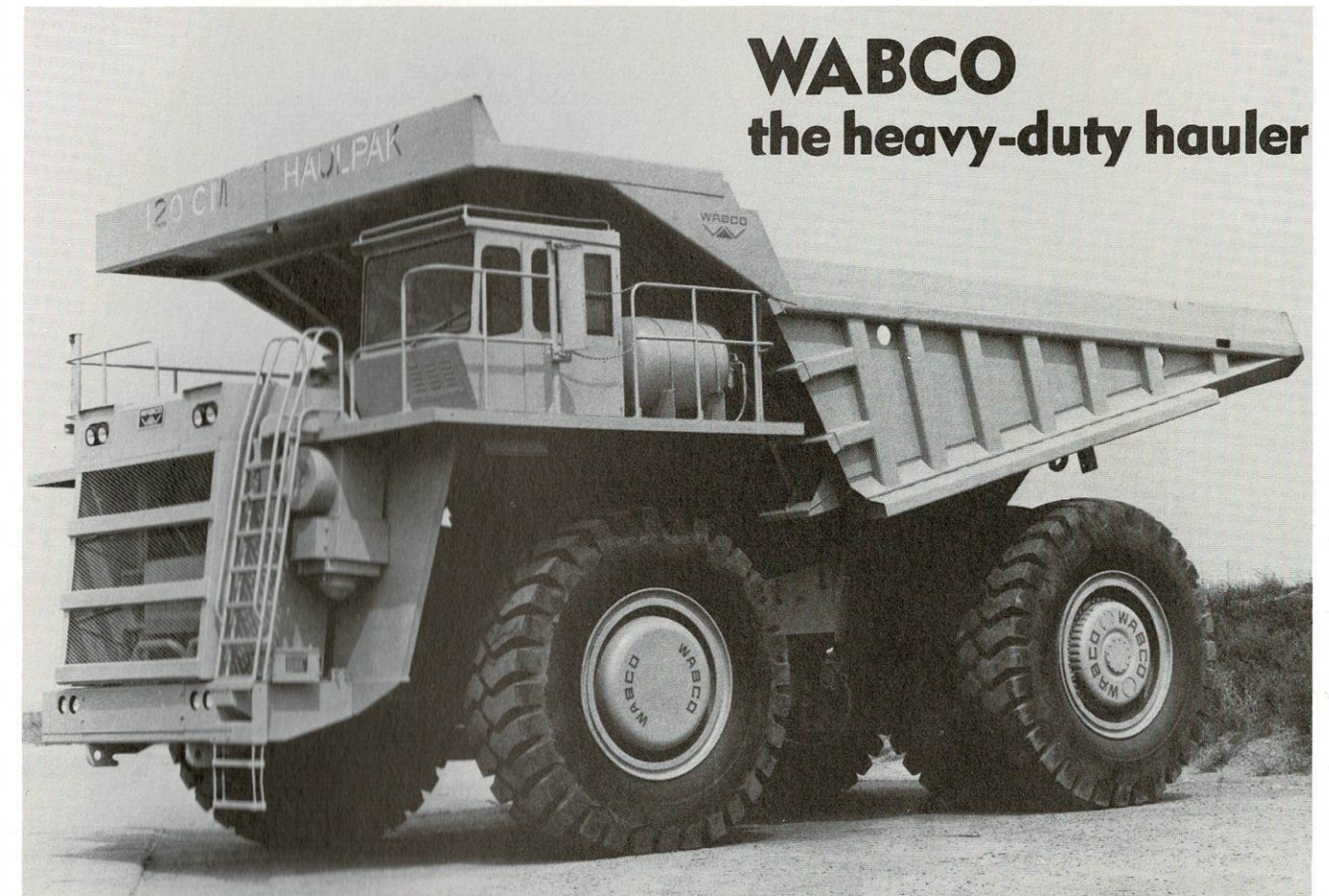
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